

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

In re

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation
of Bernard L. Madoff Investment Securities LLC
and the Chapter 7 Estate of Bernard L. Madoff,

Plaintiff,

v.

NATIXIS S.A. and TENSYS LTD.,

Defendants.

SDNY Case No. _____

Adv. Pro. No. 08-01789 (CGM)

SIPA LIQUIDATION

(Substantively Consolidated)

Adv. Pro. No. 10-05353 (CGM)

NOTICE OF APPEAL

Part 1: Identify the Appellant(s)

1. **Name(s) of appellant:** Tensyr Limited.
2. **Position of appellant in the adversary proceeding that is the subject of this appeal:**
Defendant.

Part 2: Identify the Subject of this Appeal

1. **Describe the judgment or the appealable order or decree from which the appeal is taken:**

Defendant-Appellant appeals under 28 U.S.C. § 158(a)(3) from the Order Denying Defendant Tensyr Limited's Motion to Dismiss the Amended Complaint (ECF No. 239) (the "Order") (attached as Exhibit A). The Order was based on the Memorandum Decision Denying Defendants' Motion to Dismiss (ECF No. 233) (attached as Exhibit B).

2. State the date on which the judgment or the appealable order or decree was entered:

The Order was entered on November 20, 2023, and the Decision was entered on November 3, 2023.

On November 30, 2023, the Bankruptcy Court entered a Stipulation and Order extending Tensyr's time to file its notice of appeal and motion for leave to appeal to December 26, 2023. *See* ECF No. 242.

Part 3: Identify the Other Parties to the Appeal

The relevant parties to the Order and Decision, and the names, addresses, and telephone numbers of their respective attorneys, are as follows:

Defendant-Appellant	Attorneys of Defendant-Appellant
Tensyr Limited	Freshfields Bruckhaus Deringer US LLP Timothy P. Harkness David Y. Livshiz Christian Vandergeest Adam Betts 601 Lexington Avenue, 31st Floor New York, New York 10022 Telephone: (212) 277-4000 Facsimile: (212) 277-4001
Plaintiff-Appellees	Attorneys for Plaintiff-Appellees
IRVING H. PICARD, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC and the Chapter 7 Estate of Bernard L. Madoff	Baker & Hostetler LLP David J. Sheehan Joanna F. Wasick Carlos Ramos-Mrosofsky 45 Rockefeller Plaza New York, New York 10111 Telephone: (212) 589-4200 Facsimile: (212) 589-4201

Part 4: Optional Election to Have Appeal Heard by District Court

Not applicable (no Bankruptcy Appellate Panel in this District).

Part 5: Signature

Dated: New York, New York
December 26, 2023

Respectfully submitted,

FRESHFIELDS BRUCKHAUS DERINGER US LLP

By: s/ David Y. Livshiz

Timothy P. Harkness

David Y. Livshiz

Christian Vandergeest

Adam Betts

601 Lexington Avenue, 31st Floor

New York, New York 10022

Telephone: (212) 277-4000

Facsimile: (212) 277-4001

timothy.harkness@freshfields.com

david.livshiz@freshfields.com

christian.vandergeest@freshfields.com

adam.betts@freshfields.com

Attorneys for Defendant Tensyr Limited